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**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, NOVEMBER 13, 2001 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

NOTE: Due to the Veteran's Day holiday, the meeting of Monday, November 12, 2001 will be held in conjunction with the regularly scheduled meeting of Tuesday, November 13, 2001.

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO REDEVELOPMENT AGENCY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Redevelopment Agency Secretary at 236-6233.

ITEM-1: ROLL CALL.

ITEM-10: INVOCATION.

ITEM-20: PLEDGE OF ALLEGIANCE.

SPECIAL ORDERS OF BUSINESS

ITEM-310: Dr. Homer and Betty Peabody Day.

COUNCILMEMBER ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2002-485)

Saluting the Balboa Park Millennium Society for its dedication to Balboa Park, and congratulating the Balboa Park Millennium Society on its first annual awards luncheon;

Honoring Dr. Homer and Betty Peabody for their longstanding commitment to Balboa Park and proclaiming November 6, 2001 to be "Dr. Homer and Betty Peabody Day" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

ITEM-311: God Bless America Week.

COUNCILMEMBER MAIENSCHIN'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-587)

Proclaiming November 18 through 24, 2001 as "God Bless America Week" in the City of San Diego, and urging all citizens to join together in an expression of thanks for these blessings, and further asking that they show honor to the flag and otherwise demonstrate their patriotism to our country.

SUPPORTING INFORMATION:

"God Bless America Week" is dedicated to the rebirth of patriotism in America by providing and operating for the patriotic resurgence by Americans of all faiths and races and to create a magnitude of pride in each and every American for the bountiful blessings and God given principles for which this country stands. In order to manifest these principles to all Americans, the week of November 18-24, 2001 will be set aside and dedicated in order that all citizens may reflect upon the blessings which are ours as Americans. The City of San Diego, as American citizens will observe November 18-24, 2001 as a day to demonstrate the love of principles of freedom, justice, and liberty, upon which the United States of America was founded. Citizens

are encouraged to personally contribute to this spirit of patriotism by flying the American flag throughout the week as an expression of thanks for blessings we enjoy as Americans. Therefore, proclaiming November 18-24, 2001 as "God Bless America Week" in the City of San Diego, and inviting the citizens of San Diego to take time to reexamine the principles on which this country was founded and to recognize our great heritage.

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NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject**, regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue those items scheduled to be heard at this morning's session. Requests to continue items scheduled to be heard at 2:00 p.m. will be taken at the beginning of the afternoon session.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-330: Eight actions related to the Ballpark Redevelopment Project.

(See City Manager Report CMR-01-239.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2002-550)

Adopting a resolution authorizing and approving (a) a POS with respect to the issuance of Ballpark Bonds by the Authority to finance a portion of the City's contribution to the Ballpark Project; and (b) the marketing of the Ballpark Bonds to investors as tax-exempt or taxable obligations, either in a private placement or public offering.

Subitem-B: (R-2002-636)

Adopting a resolution authorizing and approving a CDA between the City and the trustee for the project with respect to the issuance of Ballpark Bonds by the Authority to finance a portion of the City's contribution to the Ballpark Project.

Subitem-C: (R-2002-515)

Adopting resolutions on behalf of the City and Agency authorizing and directing the execution of the Second Implementation Agreement.

NOTE: See the Redevelopment Agency Agenda of November 13, 2001 for a companion item to Subitem C.

Subitem-D: (R-2002-594)

Adopting a resolution declaring the City's intent to reimburse itself for certain contributions to the Ballpark Project in the event refunding bonds are issued with respect to the Ballpark Bonds.

Subitem-E: (R-2002-643)

Adopting a resolution authorizing the repayment of loans totaling \$40.2 million to the City, and the acceptance of loans totaling \$40.2 million from the Agency.

Subitem-F: (R-2002-645)

Adopting a resolution revising CIP-39-228.0, Ballpark and Redevelopment Project; authorizing the appropriation of funds as detailed in the revised CIP, and set forth in Attachment A to the City Manager's Report No. CMR-01-239, for the purpose of funding expenses associated with the City's contribution to the Ballpark Project; and on a temporary basis authorizing the City Manager and City Auditor and Comptroller to utilize available funds as necessary for these purposes, until such time as appropriated funds anticipated to come into the treasury for such purposes are available.

Subitem-G: (R-2002-646)

Adopting a resolution authorizing the City Manager, and the City Auditor and Comptroller to take certain actions on behalf of the City, if necessary, to meet the City's obligations with respect to Ballpark Project costs if the City is unable to meet certain conditions relating to a surety bond policy for the Ballpark Bonds.

Subitem-H: (R-2002-647)

Adopting a resolution authorizing the City Manager, and the City Auditor and Comptroller to take certain actions on behalf of the City if necessary, to purchase and develop the Surface Lots if the Port does not purchase the lots under the Purchase and Sale Agreement.

ADOPTION AGENDA, HEARINGS

SPECIAL HEARINGS:

ITEM-331: Approving the Financing and Refinancing of the Centre City Redevelopment Project and Approving a Tax Agreement.

(See memorandum from CCDC dated 10/31/2001. Centre City Redevelopment Project Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-642)

Approving the financing and refinancing of the Centre City Redevelopment Project by the Redevelopment Agency of the City of San Diego and approving a Tax Agreement with the Agency.

NOTE: See the Redevelopment Agency Agenda of November 13, 2001 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-332: Ballpark and Redevelopment Project - Amendment to the Financial Advisory Services Agreement.

(Centre City East Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-529)

Authorizing the City Manager to execute an amendment to the agreement between the City and A.G. Edwards, for Financial Advisory Services concerning the Ballpark and Redevelopment Project;

Authorizing the expenditure of an amount not to exceed \$130,000 from Ballpark Project Fund 102214.

CITY MANAGER SUPPORTING INFORMATION:

The City desires to amend the agreement with A.G. Edwards to increase total expenditures for financial services relating to the Ballpark & Redevelopment Project by \$130,000. These additional expenditures include \$115,000 for fees and \$15,000 for expenses. Of this \$130,000 increase in total expenditures, \$80,000 will be allocated to A.G. Edwards and \$50,000 to Kitahata & Company. The need for these additional financial advisory resources stems from the complex nature of the financing for the Ballpark Project.

FISCAL IMPACT:

The amended agreement between the City and A.G. Edwards will increase total expenditures to a not to exceed amount of \$640,000 for fees and \$87,500 for expenses for a total contract amount of \$727,500. Funds are currently available in the Entertainment/Sports Center - Ballpark Project Fund.

Total fiscal impact for this action is \$130,000. Total costs for these services will be paid out of the Entertainment/Sports Center - Ballpark Project Fund.

Frazier/Vattimo/EK/JW

Aud. Certs. 2200402/2200403.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-350: SUBMISSION OF BALLOT PROPOSALS

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who then shall transmit them promptly to the Rules Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket 127 days prior to the election the ballot proposals which have been referred back to Council following Rules Committee review.

Therefore, the City Clerk's Office has established the following administrative guidelines for the March 5, 2002 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	9/14/2001	127	LAST DATE (10:00 a.m.) for public to submit ballot proposals to City Clerk for review by Rules Committee
Wednesday	9/26/2001	160	Rules Committee Review
Tuesday	10/23/2001	133	LAST DATE for City Manager, department or other public agency to submit ballot proposals to City Clerk for placement on Council Docket
Monday	10/29/2001	127	Council Docket (PUBLIC NOTICE) lists proposals from members of the public referred by Rules Committee
Monday	11/05/2001	120	Council adopts propositions for ballot;
	through	to	directs City Attorney to prepare
Tuesday	11/20/2001	105	ordinances

Monday	11/26/2001	99	Council adopts ordinances prepared by City Attorney
Friday	12/07/2001	88	Last day for City Clerk to file with Registrar of Voters all election material
Thursday	12/20/2001	75	Last day to file ballot arguments with City Clerk

If you have any questions, please contact the Office of the City Clerk, at 533-4025.

PUBLIC NOTICES:

ITEM-351: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

Carmel Valley Neighborhood 4, Unit 6
Carmel Valley Neighborhood 6, Unit 10

COMMUNITY AREA

Carmel Mountain Ranch
Carmel Mountain Ranch

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director or Planning and Development Review or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT